Previous references.

B 112-07 Sls: 142 March/07.

190).

(Courts)

File No. C 112-07

Serial Nos. 3 to 6

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos 3 to 6.

Part B. for Sept/08.

SUBJECT.

Increase of the permanent advance of the Deputy Nazir of the Chittagong Munsiff's Court

(Addenda to Rule 17 of the process Rules)

From The Reg: Chief Court

No: 2095/372 Dy 11.4.08

States that it is represented that the permanent advance of Rs 300 is found inadequate to meet the increased process work of the Chittagong Munsiff's Court and that the same may be raised to Rs 400/- to facilitate despatch of process work, the security of the Dy Nazir being also raised to the same amount and requests sanction for the same

U. R. S. 58

4. To The Reg: Chief Court Nagpore

No: J 3289 Dy 1.5.08

Engineer's letter be called for

it is not possible to arrange for more frequent recoupments of the permanent advances than at present and thereby dispense with the necessity for increasing such advances.

5. From the same officer

No: 8054/526 Dy 16/9.6.08

States that one way of meeting the difficulty is to allow the Central or Deputy Nazirs to obtain money from the Court as a temporary advance to be finally adjusted by [redacted] and with a view to give effect to this suggestion proposes an addition to rule 17 of the process Rules.

6. To

The Regr: Chief Court

Comptroller

No: J 802—3 Dy 14.9.08

Approves of the addition proposed to Rule 17 of the process rules allowing the Nazirs and Dy Nazirs to obtain money from the permanent advance allowed to the Chief Court.

SS:(3-6)B.

(1)

G.R.S. 11] 1907-08

GENERAL AND REVENUE SECRETARIAT

(Courts.)

NOTES.

do File. No. 112-07

FILE HEADING.

Increase of the permanent advance of the Deputy Nazir of the Chickballapur Munsiffs' Courts. Addition to Rule 17 of the Process Rules.

From

The Registrar of the Chief Court of Mysore.

No. 7095/372 Dated 11.4.1908 Received 13.4.1908

Diary No. 2631 | Enclos. Nil Spare Copies. | Serial No. 3

BRIEF ABSTRACT OF LETTER.

States that it is represented that the permanent advance of Rs 300 is found inadequate to meet the increased process work of the Chickballapur Munsiffs' Courts that the same maybe raised to Rs 400/- to facilitate despatch of process work, the Security of the Dy Nazir being also raised to the same amount & requests sanction for the same.

NOTES AND ORDERS.

1. It was in consideration of the increased process work in consequence of the extension of the territorial jurisdiction of the Chickballapur Munsiffs' Courts over the Taluks of Devanhalli, Doddballapur and Gouribidanur

NOTES—First sheet.

GPB—30,000—20-3-06.

G. R. S. 12]
General and Revenue Secretariat.

Ch File No. 112 of 1907-08

Serial No.

that the proposal of the Chief Court to raise the permanent advance to Rs 300/- was sanctioned in G.O. No J 1608-9 — Ch 112-07-2 & 23.11.07. It is now stated that even this enhanced advance is found ~~inadequate~~ inadequate to meet the increased process work and the Chief Court recommends the further increase of the permanent advance to Rs 400/- to facilitate despatch of process work. They are also of opinion that the Security of the Dy. Nazir may be raised to Rs 400/-.

2 Submitted for orders. The Comptroller may be consulted unofficially.
14.4.08 Hcg
14/4/08 SN

3 Forwarded to the Comptroller per favour of opinion. The increase of the permanent advance seems necessary on account of the ~~extraordinary~~ ~~increase~~ larger number of processes to be served in consequence of the extension of the territorial jurisdiction of the Court.

14.4.08. H. Raghavendra Rao
for Secretary to Govt, Genl & Revenue Depts

G.O. J 54
15.4.08

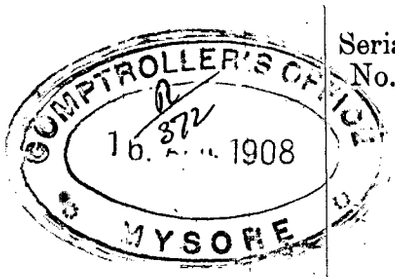
NOTE—Contn. sheet.

GPB—50,000—17-3-07

G. R. S. 12]
General and Revenue Secretariat.

Cts File No. 112 of 1907-08

Serial No.



Note No. 357 Dt. 22 4/08

4 Please see my note on the other file cts. No: 273-1907 (Chief Court's Registrar's letter No: 6949/368 dated 3.4.1908)

M. N. Venkatachar
Officiating Comptroller

5 The following is a copy of the note referred to above:—

"The comptroller can express an opinion as far as his accounts enable him to do so, only on the amount of expenditure incurred monthly, but it is impossible to furnish this information in respect of expenditure on the Service of processes. The charge is met finally from the amounts deposited by the parties and there are no data in the comptroller's office to find out what are the requirements of the Nazirs".

6 "If the amount asked for is absolutely necessary, it may be allowed as a permanent advance. But it may be considered if arrangements cannot be made by any alterations which the Departmental

NOTE—Contn. sheet.

GPB—50,000—17-3-07

G. R. S. 12]
General and Revenue Secretariat.

Ato File No. 112 of 1907-08

Serial No.

rules or practice may permit, for more frequent recoupment of the advance than at present. If recoupment at shorter intervals is possible and can be arranged for, it will not only dispense with the necessity for an increased permanent advance but will also result in the speedier clearance of the deposits".

Submitted for orders.

Hcs 23.4.08. SN 28.4.08

Please put up a draft to the Collector enquiring whether as suggested above whether recoupments at shorter intervals is not possible. It may be pointed out that one of the evil results of allowing a Nazir or deputy Nazir to have a larger permanent advance than is necessary is to render him slightly careless or indifferent as regards the prompt recovery of the amounts outstanding on the process servers and thereby afford the latter opportunity to misappropriate the same.

24.4.08. HWW

NOTE—Contn sheet.

GPB -50,000—17-3-07

G. R. S. 12]
General and Revenue Secretariat.

Cfo. File No. 112 of 1907-08.

Serial No.	
	8. Submitted with a draft letter for approval, KCR 28.4.08 SN 28/4/08 8a Issue 28.4.08 MMS
4	To the Registrar, Chief Court of Mysore ℞ J 3289 & 1.5.08. Enquires whether, by altering the process rules, it is not possible to arrange for more frequent recoupments of the permanent advances than at present and thereby dispense with the necessity for increasing such advances.
5	From the Same officer ℞ P 8054/426 & 16.6.08. States that one way of meeting the difficulty is to allow the central or Deputy Nazir to obtain money from the Court as a temporary advance to be finally adjusted by bills and, with a view to give effect to this suggestion, proposes an addition to Rule 17* of the Process Rules.
	9 Submitted for orders. KCR 23.6.08. SN 28/6/08 10 What has to be seen is that the Deputy Nazir or Central Nazir has not more money in his hands than is necessary for the

NOTE—Contn. sheet.

GPB—50 000—17-3-07

G. R. S. 12]
General and Revenue Secretariat.

Ch File No. 112 of 1907-08

Serial No.

Service of processes and that the unexpended batta amount with the process servers is recovered from them promptly so as to minimise ~~the~~ opportunities for misappropriation. The proposed arrangement enabling the deputy or Central Nazir to draw from the Sub Nazir any advance that may be required, ~~from~~ has the advantage of being elastic, and any abuse of this power is guarded against by the provision requiring the sanction of the officer in charge of the Nazarath or the presiding officer of the Court for drawing the advance. The rule may, it seems, be sanctioned

Secy). 23.6.08. MW

13. 3/9/1908 11 May be approved. 24.6.08

Dewan Hon'ble Mr.

MW 24.6

7256/25.6.1908 12 The Chief Courts proposal may be approved

MW 29.6

955-7/29.6.08 14 Draw orders accordingly

Dft of Sheriff-Nazir Rules 5.8.07

NOTE—Contn sheet.

GPB—50 000—17-3-07

G. R. S. 12]
General and Revenue Secretariat.

Cta. File No. 112 of 1907-08

Serial No.	
15	Draft order submitted for approval. Ltr 8.9.08. SN 8/9 (Under Secy) 8/9
16	Issue HB 10/9/08.
6	To the Registrar, Chief Court & Comptroller to Govt. No. 802-38 14.9.08. Approves of the addition proposed to the Rule 12 of the process rules allowing the Deputy Nazirs and Nazirs to obtain money from the permanent advance allowed to the presiding Court.

Recd. letter dated 8/9

NOTE—Contn. sheet.

GPB—50,000—17-3-07

No: L. 95/372

(1) Office of the chief court of Mysore,

Bangalore, dated 11th April 1908.

J. 2631/11c

From

Court File No 112-07
SC No 3

V. A. Rajaratna Mudaliar Esquire,

Registrar, chief court of Mysore.

To

C. S. Balasundaram Iyer Esquire,

Offg: Secretary to the Government of Mysore,

General and Revenue Depts.

Sir,

The Munsiff of Chikballapur represents that the amount of permanent advance of Rs. 300/- sanctioned to the Dy: Nazir of his court in Government Proceedings No. J-1608-9 / Cto. 112-07-2, dated 23rd November 1907 is found inadequate to meet the increased process work of his court and that the Dy: Nazir has generally on hands processes, the distribution of which would take about Rs. 500/- The Munsiff requests that the permanent advance may be raised to Rs. 400/- to facilitate despatch of process work, the Security of the Dy: Nazir being also raised to the same amount. I am directed to request the sanction of Government for the same.

I have the honor to be
Sir,
your most obedient Servant,

V. Rajaratna Mudaliar

Registrar.

(2)

G.R.S. 26]

File No. 112/07

Serial No. 4

Diary No. of letter replied to

No. J 3289

General and Revenue Secretariat

( )

, *the* 190 .

Date of issue 1.5.08

Signed by Dr K Nufar Rao

To

The Registrar, Chief Court

of Mysore.

Sir,

Adverting to your letters Nos. 6949 and 7095 dated the 3rd and 11th April 1908 regarding the question of increasing the permanent advances held by the Central Nazir at Mysore and the Deputy Nazir of the Chickballapur Munsiffs' Court, respectively, I am directed to observe that one of the evil results of allowing a

ver.

SUBJECT.

Nazir or a Deputy Nazir
to have a larger permanent
advance than is absolutely
necessary is to render
him careless or indifferent
as regards the prompt
recovery of the amounts
outstanding against the
process Servers and thereby
afford the latter an opportunity
to misappropriate the same.
Recoupment of the permanent advance
amounts at shorter intervals
would not only dispense
with the necessity for increased
permanent advance, but
would also tend to the
speedier clearance of
deposits. I am to request,
therefore, that Govt. may
be favoured with the
opinion of the Chief Court
as to whether it is not
possible to make arrangements.

List of enclosures

Copied by

Examined by

MGCPB—30,000—16-2-05

(4) CS 112-01-04

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

by any alteration which the process rules may permit, for more frequent recoupment of advances than at present.

I have &c.

[illegible]
for Secretary

Dft 4cs SW
28/4/08 28/4/08

Copies 1/5/08

MGCPB—30,000—5-4-05.

No. 8054/426

(67)

J3169 cts file No. 112-07 Sec. No. 5

Chief Court of Mysore,

Bangalore, dated 18th June 1908.

From

V.A. Rajaratna Mudaliar Esq.,

Registrar, Chief Court of Mysore.

To

K.S. Chandrasekhara Aiyar Esq.,

Secretary to Government,

General & Revenue Departments.

Sir,

I am directed to acknowledge the receipt of your letter No. J.3287-Cts.112-07-4 dated 1st May 1908 in which expression is given to the view that more frequent recoupments of the permanent advances in the hands of the Central and Deputy Nazirs than is at present the case, would not only dispense with the necessity for increase of permanent advance but would also tend to the speedier clearance of deposits and the opinion of this Court is invited as to whether it would be possible to arrange for this being done by altering the process rules.

I am to state that one way of meeting the difficulty is to allow the Central or Deputy Nazir to obtain money from the court as a temporary advance to be adjusted by bills subsequently drawn. There will be no difficulty in pursuing this course. The Munsif and Subordinate Judges can see that such advances are at once utilized for disbursements to the process servers and that they are adjusted finally as soon as possible. Central Nazirs may be allowed to draw similar advances from courts in the same station, and the provision that the District Judge's sanction should be obtained in each case will guard against the said Nazar obtaining such temporary advances in the absence of real necessity.

With

With a view to give effect to this suggestion, it is proposed to make the following addition to rule 17 of the Process Rules :-

Whenever the Deputy Nazar of a court has not sufficient money in his hands to pay for processes that have to be issued for service, he may, with the sanction of the presiding Judge of such court, draw the amount required for such processes as are of his own court as an advance from the said court and enter the sum so received in Register F. The sums so drawn should be adjusted in due course by their being included in bills drawn under the next rule.

With the sanction of the Officer in charge of the Central Nazarat in each case, the Central Nazar may, whenever necessary, adopt a similar course with respect to courts situated in the same station '.

I have the honor to be,

Sir,

Your most obedient servant,

Registrar.

S.R.

QS

7

G.R.S. 28]

Cs File No. 112-07

Serial No. 6

Diary No. of letter replied to 3169

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.

( )

, *the* 190

Date of issue 14.9.08

Signed by

Mr SP Rajagopalachar.

READ—

Letters Nos 6949/368 and 7095/372 dated 1st and 11th April 1908 respectively from the Registrar of the Chief Court of Mysore recommending for reasons stated in each case the augmentation of the permanent advances held by the Central Nazir at Mysore and the Deputy Nazir at Chikballapur respectively.

(2) This office letter of

over

~~ORDER THEREON.—No.~~

SUBJECT

J 3289 – cts 112-07-4 dated the 1st May 1908, pointing out the ~~evil result~~ disadvantages of allowing a larger permanent advance than is absolutely necessary and requesting the opinion of the Chief Court ~~as to~~ whether it is not possible to arrange by any alteration in the Process Rules, for more frequent recoupment of advances.

(3) Letter No $\frac{8054}{426}$ dated the 18th June 1908, from the Registrar, Chief Court, stating that one way of meeting the difficulty is to allow the Central or Deputy Nazir to obtain money from the Court as a temporary advance, to be finally adjusted by bills; and with a view to give effect to the suggestion, proposing an addition to Rule 17 of the Process Rules.

9

CS 112-07-6

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(Continuation Sheet draft form.)

Sanctioned in Govt order No 2038-C 156-2 dt 25th January 1905

Order thereon No J802-3 dt 14.9.08

The addition ~~proposed~~ to Rule 17 of the Process Rules, proposed in the Registrar's letter read above is approved as hereunder

[Here enter the addition appended to the "paper under disposal"]

CSB 10/9/08
for Secretary

To

The Registrar of the Chief Court of Mysore
& Comptroller to Govt

8/9/08

8/9/08